

Board of Selectmen Minutes
Regular Meeting
Thursday, October 4, 2018, 7:30 pm
Town Hall Meeting Room

Attendance: First Selectman Chris Spaulding, Selectman Stephan Grozinger, Selectman Gordon (via telephone), Town Administrator Jonathan Luiz, Administrative Assistant Randi Derene and Weston Residents.

This meeting was videotaped and can be viewed on Channel 79 and on our Town of Weston website

- 1- **Call to Order:** First Selectman Spaulding called the meeting to order at 7:30pm
- 2- **Pledge of Allegiance** - led by Harry Falber
- 3- **Discussion / decision to adopt a resolution to authorize, issue and sell general obligation refunding bonds** Bruce Chudwick (from Shipman & Goodwyn) and First Selectman Spaulding discussed bond refunding. They explained that refinancing some of our current debt should save the town \$300,000 over a multiyear period.
Selectman Grozinger moved to adopt the resolution, entitled "Resolution to Authorize, Issue and Sell General Obligation Refunding Bonds," as presented. Selectman Gordon seconded. Motion carried unanimously. A copy of the resolution adopted is attached to these minutes.
- 4- **Public hearing and possible action by Selectmen on a proposed new ordinance concerning Municipal Separate Storm Sewer System** First Selectman Spaulding explained the reason for this ordinance is a federal and state mandate. Public comment:

Margaret Wirtenberg- 15 Wilson Road: Ms. Wirtenberg stated she is concerned because the state road has 25 year old drainage and hopes they take that into consideration.

Kirby Brendsel-12 Godfrey Road - Mr. Brendsel stated it is important to monitor, saying what you don't monitor you don't measure.

First Selectman Spaulding stated that because of this mandate we are forced to monitor and remediate if necessary. Mr. Luiz added if the town is going to be held accountable for what goes in the catch basin, then this ordinance is a tool to allow the town to address issues with private property owners that may be causing harm. Selectman Grozinger stated he is uncomfortable with this ordinance, questioning some of the wording. He stated he feels it is an

industrial strength ordinance for a residential town and feels the wording is too broad. Selectman Gordon said he understands Selectman's Grozinger's points, but he is more comfortable and is in favor of this ordinance.

First Selectman Spaulding asked for a motion to close the hearing. Selectman Grozinger moved, Selectman Gordon seconded. Motion carried unanimously.

Selectman Gordon moved to adopt a new ordinance concerning the Municipal Separate Storm Sewer System, as presented. First Selectman Spaulding seconded. Motion carried 2-1 with Selectman Grozinger opposed. (Ordinance attached)

- 5- Public hearing and possible action by Selectmen on a proposed ordinance amendment to Chapter 39 Citations.** First Selectman Spaulding explained that the amendment adds a complete citation procedure.

Public Comment:

Margaret Wirtenberg – 15 Wilson Road: Ms. Wirtenberg felt this would be like having your neighbor involved with fines and citations and she doesn't want neighbors turning in neighbors. She also feels it is an expense for people and doesn't feel we need it.

First Selectman Spaulding asked for a motion to close the hearing. Selectman Grozinger moved, Selectman Gordon seconded. Motion carried unanimously.

Mr. Luiz clarified that the ordinances that are already in place rely on a code enforcement officer. He further explained if someone makes a complaint, the code enforcement officer investigates to see if they are in violation. The officer then tries to remediate first before issuing a fine. Mr. Luiz stated the amendment to this ordinance is about their being a public hearing officer in place, which gives the resident a way to appeal the fine/violation to the public hearing officer. Selectman Grozinger understands Margaret's point, but feels this amendment makes sense.

Selectman Gordon moved to adopt the proposed ordinance amendment to Chapter 39 as presented. Selectman Grozinger seconded. Motion carried unanimously. (Ordinance attached)

- 6- Public hearing and possible action by Selectmen on a proposed ordinance amendment to Chapter 145 Unregistered and Abandoned Motor Vehicles.** First Selectmen Spaulding explained this amendment provides an appeal process to the existing ordinance.

Public Comment:

Margaret Wirtenberg –15 Wilson Road: Ms. Wirtenberg stated she is in favor of this amendment as it gives the Board of Selectmen (BOS) power to do something about the issue

Selectman Grozinger moved to close the hearing. Selectman Gordon seconded. Motion passed unanimously.

Selectman Grozinger stated he was concerned about a line in the ordinance that was ambiguous about blight. Selectman Gordon stated he is in support of this ordinance. Mr. Luiz points out that this ordinance has been enforced since it was originally adopted and that the only change would be instituting the required citation appeal process. Selectman Gordon moved to adopt the proposed ordinance amendment to Chapter 145 as presented. First Selectman Spaulding seconded. Motion carried 2-1 with Selectman Grozinger opposed. (ordinance attached)

7- Public hearing and possible action by Selectmen on a proposed new ordinance concerning Retail checkout bags

Public Comment:

Amy Kalafa- 21 Old Farm Road: Ms. Kalafa thanked Selectmen for considering ordinance. She stated plastic bags are the most difficult material to recycle. Ms. Kalafa read a letter submitted by a resident in Darien. (see attached)

Margaret Wirtenberg- 15 Wilson Road: Ms. Wirtenberg stated she is against it being mandatory.

Vanessa Villamill (resident of Newtown): Ms. Villamill stated their town is in the process of passing this ordinance as well and she is in favor of this ordinance in Weston.

Larry Shore – 30 Blueberry Hill Road: Mr. Shore stated he is in favor and feels there are many other things we can do after this.

Christine Lomuscio – 42 Cannondale Road: Ms. Lomuscio stated she isn't against the idea, but she doesn't want to be told what to do.

Amy Sanborn –125 Old Hyde Road: Ms. Sanborn compared recycling paper bags versus plastic bags and said Peters cost would go up and storage would be an issue.

Don Saltzman- 5 Newtown Turnpike: Mr. Saltzman said he spoke to his garbage service and they stated they don't recycle anymore as they don't make any money on recycling anymore. He doesn't feel the ordinance applies to Weston and feels we should revise the ordinance.

Sarah Hutchinson – Aspetuck Lane: Ms. Hutchinson feels if we don't take action now, we will have to spend a lot of time and money later to rectify all the issues it caused.

David Felton –21 Ridge Road: Mr. Felton asked the board to consider issue as he did some research on the store Kroger's and their plastic bag bans. He found that plastic bags had the lowest environmental impact. He also stated he feels the fees are like a punishment.

Semira Siskin – (resident of Stamford) Ms. Siskin is part of BYO Stamford and she said that Stamford passed this ordinance and it is successful. She said this issue is a Connecticut issue, not a Stamford or Weston issue.

Ken Coulson – 88 Godfrey Road West: Mr. Coulson first thanked the students for coming out. He stated he is in support of this ordinance and the Sustainability did an analysis on the effect this ordinance would have on the town.

Jens Buettner – 65 Kettle Creek Rd: Mr. Buettner stated that the 10cents isn't a punishment, it will go to the store who provides the bag, helping them through transition period. Mr. Buettner also stated that the goal is to not use paper either.

Marc de Mul – 15 Merry lane: Mr. de Mul stated they worked with Peters Market from the beginning. He said we need an education effort.

Ellen McCormick – 91 Old Easton Turnpike: Ms. McCormick presented the reusable Lachat bags as a replacement for plastic and paper bags.

Steve Thomas – 58 Blueberry Hill Road: Mr. Thomas stated he is involved with Green Up day where he finds bags littered all over town. He supports the ordinance. He added that he finds people in Westport use recyclable bags more than relying on paper bags. Mr. Thomas feels that paper bags are a transition.

Lynn Hungasky – (resident of Newtown) Ms. Hungasky showed a reusable bag that she created and sells as a fundraiser in Ridgefield. She said we have control over this issue, even if it is a small percentage.

Selectman Grozinger moved to close the public hearing. Selectman Gordon seconded. Motion carried unanimously.

Mr. Luiz stated he notified the owners of the Weston shopping center of this hearing and that he also directly informed the shopping center property manager. Selectman Grozinger stated he supports using reusable bags but noticed people who were opposed didn't like the fact that it was mandatory. He also questioned the fee. He stated we shouldn't impose this on the stores. Selectman Grozinger stated again he is in favor to reduce use of plastic bags but against having fines.

Selectman Gordon said he feels it is necessary step to take just get things moving. Selectman Spaulding stated that the fee is not a penalty, as the money goes back to vendors to help them with the purchase of these bags, and hopefully will reduce the use of paper as well. Selectman Gordon moved to adopt a new ordinance concerning Retail checkout bags, as presented. First

Selectman Spaulding seconded. Motion carried 2-1 with Selectman Grozinger opposed.
(Ordinance attached)

- 8- **Reappoint Elizabeth Zeppernick to Lachat Town Farm Commission for a term to end June 30, 2021.** Selectman Grozinger moved to reappoint Elizabeth Zeppernick to Lachat Town Farm Commission for a term to end June 30, 2021. Selectman Gordon seconded. Motion carried unanimously.
- 9- **Discussion/decision regarding Westport/Weston Health District vacancy: Interview Ilisa Nussbaum and Patty Byrne** Ilisa Nussbaum – Ms. Nussbaum said she has a master’s in public health and would love an outlet to help educate residents on such things as the environment and immunology. She said she has lived here for 10 years, and wants to volunteer more. Patty Byrne – Ms. Byrne stated her specialty is pharmacy administration and management. She wants to help educate people on topics such as overdoses and flu vaccines. Ms. Byrne had relationships with Department of Health and serves on several counsels

NO MOTION

- 10- **Discussion / decision regarding authorization of deer hunting on select Town properties – Mark Harper** - Selectman Grozinger asked several questions such as how many acres on each piece of property are hunted, what happens to the carcass and the hunting permit process. First Selectman Spaulding asked about the tick borne diseases that the deer are bringing in. Mr. Harper explained that this year there is a new tick that they are carrying and it has a horribly high disease/death rate. Mr. Harper also discussed the hunting dates and the rules about hunting near property lines. Mr. Harper stated he will supply the Selectmen with a map of exactly where the hunting will take place. First Selectman Spaulding then asked Mr. Harper to create a historic document that includes rules and regulations of this hunt for future Animal Control Officers. Selectman Grozinger asked Mr. Harper about the hunters holding liability insurance. Mr. Luiz will reach out to our risk manager to discuss this.
- Selectman Grozinger moved and Selectman Gordon seconded to allow deer hunting on select town properties pursuant to the following rules: 1) Letter of authorization signed by First Selectman Spaulding that specifies the rules that the hunters have to abide by; 2) hunters to provide a signed hold harmless agreement; 3) hunting only from October 6th thru January 31st; 4) bright red warning signs on all points of entry stating that hunting is in progress; 5) certified letter to all adjacent land owners before the hunt; 6) maximum of thirteen permits; 7) maximum of twenty deer taken throughout the season; 8) hunter to provide liability ins subject to CIRMA review; 9) hunting allowed on Fromsen-Strassler, Bisceglie (northwest side), Transfer Station, Lachat Farm, Moore Property; 10) no hunting within 100 yards of the property line; 11) hunter to provide proof of liability insurance subject to CIRMA review; 12) Permit signed by Town Administrator or First Selectman. The motion carried unanimously.

- 11- **Property Tax Refunds** – Total \$5,476.99 Selectman Grozinger moved to approve property tax refunds totaling \$5,476.99 as presented. Selectman Gordon seconded. Motion carried unanimously.
- 12- **Minutes Approval – August 30th , September 4th and September 14th** Selectman Gordon moved to approve the unapproved minutes of August 30th , September 4th and September 14th as presented. Selectman Grozinger seconded. Motion carried unanimously.
- 13- **Adjournment:** Selectman Grozinger moved to adjourn at 9:54pm. Selectman Gordon seconded. Motion carried unanimously

Minutes submitted by,
Randi Derene, Administrative Assistant

Approved October 18, 2018